

Message Text

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51

ACTION TRSE-00

INFO OCT-01 EA-11 ISO-00 SP-03 AID-20 EB-11 NSC-07 RSC-01

CIEP-02 SS-20 STR-08 OMB-01 CEA-02 CIAE-00 COME-00

FRB-02 INR-10 NSAE-00 XMB-07 OPIC-12 LAB-06 SIL-01

NEA-10 AGR-20 IO-14 L-03 H-03 PA-04 PRS-01 USIA-15

DRC-01 (ISO) W

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R 170838Z APR 74

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 2755

UNCLAS MANILA 4446

USADB

FOR TISA, GRUPPE, AND LEE

FROM US NAM NGUM DEL

E.O. 11652: N/A

TAGS: EAID, EFIN, LA

SUBJ: NAM NGUM II - SOURCE/ORIGIN RULES

1. ADB DESIRES TAKE UP AID OFFER ASSERTED IN PRIOR
CABLE AND OTHER DOCUMENTS TO FURNISH TO BANK THE SOURCE/
ORIGIN RULES FOR PROCUREMENT ATTRIBUTABLE TO AID TIED
FINANCING. ADB FEELS IT CRUCIAL TO U.S. TIED REQUIREMENT
TO GET SUCH RULES FOR BOTH COMMODITIES AND CONSTRUCTION
SERVICES SOONEST SO THAT NEWLY SELECTED CONSULTANT MAY
UTILIZE THEM IN APPROPRIATE TENDER DOCUMENTS. CONSULTANT
EXPECTED TO COMMENCE PREPARATION SUCH DOCUMENTS FORTH-
WITH AND WOULD BE EXCEEDINGLY HELPFUL TO ADB AND TO
CONSULTANT TO HAVE AID FURNISH STATEMENT OF THESE RULES
THAT IS AN SIMPLIFIED, CLEAR AND SELF-CONTAINED AS
POSSIBLE (E.G. NO CROSS REFERENCING TO OTHER PARTS OF
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CPG'S WHICH ARE NOT BEING USED AS A WHOLE; LISTING OF

COUNTRIES IN AID GEOGRAPHIC CODES; ETC.). INDEED, WOULD BE MOST VALUABLE TO HAVE MATERIAL FURNISHED IN FORMAT THAT COULD BE UTILIZED ALMOST AS IS IN TENDER DOCUMENTS. MIGHT BE USEFUL TO YOU IN THIS REGARD TO LOOK AT BORROWER CONTRACTS IN OTHER PROJECTS WHICH HAVE GOOD STATEMENT SUCH SOURCE/ORIGIN RULES.

2. RULES MAY HAVE TO BE TAILORED SOMEWHAT, E.G., TO HAVE SUPPLIER PAYMENT DOCUMENTS LIKE SUPPLIER'S CERTIFICATE ON SOURCE/ORIGIN COMPLIANCE SIMPLIFIED AND POSSIBLY ADDRESSED TO AID BUT PASSED THROUGH THE BANK. APPEARS TO US THIS REGARD AID SHOULD HAVE SUCH REMEDIES AGAINST SUPPLIER EVEN IN THIS PROJECT SINCE THE U.S. WILL REALISTICALLY BE THE REAL PARTY IN INTEREST IN ENFORCEMENT OF SOURCE/ORIGIN RULES, AT LEAST SO FAR AS SUPPLIER CERTIFICATE GOES. YOU MIGHT CHECK ON THIS QUESTION AS TO WHOM VOUCHERS, INVOICES, AND SUPPLIER CERTIFICATE ADDRESSED IN SUCH PROJECTS AS PUSRI FERTILIZER.

3. SIMILARLY, ADB WOULD LIKE EXPANSION DEFINITION "UNLIMITED BIDS" AND "EXCESSIVE COSTS" PER PARA 6 STATE 72189, LIST OF INELIGIBLE SUPPLIERS, AND ANY OTHER MATERIAL PERTINENT TO CONTRACT DOCUMENT PREPARATION IN FORM THAT CAN BE QUICKLY UTILIZED IN SUCH DOCUMENTS.

4. GIVEN TIME EXIGENCIES, FACT THAT THIS CONSULTANT NOT FAMILIAR IN ANY WAY WITH AID REQUIREMENTS, AND THAT CPG PROVISIONS ON SOURCE/ORIGIN PROLIX AND DIFFICULT AT FIRST CRACK FOR ADB AND CONSULTANT, WOULD VERY MUCH APPRECIATE YOUR MAKING IMMEDIATE EFFORT AT THIS TAILORING JOB WHICH CAN BE REVIEWED UPON OUR RETURN FOR IMMINENT SUBMISSION THEREAFTER TO ADB AND EDL AND USE BY CONSULTANT.

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Message Attributes

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